

ORDINANCE NO. 98-5061

AN ORDINANCE OF THE CITY OF BILLINGS, PROVIDING THAT THE BILLINGS, MONTANA CITY CODE BE AMENDED BY REVISING SUBSECTIONS (a) AND (b) OF SECTION 22-804 OF SAID CODE; PROVIDING CHANGES OF RATE FOR STORM SEWER ASSESSMENTS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA:

Section 1: That Subsections (a) and (b) of Section 22-804 of the Billings, Montana City Code be amended to read as follows:

"Sec. 22-804. Rates for storm sewers.

(a) For the purpose of paying the cost of construction, operation, maintenance, depreciation and replacement of sewers to dispose of storm water and divert it from the sewage disposal plant and prevent pollution of sources of water supply, including the principal of and interest on all revenue bonds to be issued for that purpose, as authorized by MCA Title 7 Chapter 7 Part 44, or Title 7 Chapter 13 Part 43, as amended, an annual storm sewer service charge is imposed and made applicable to all premises within the city limits. The finance director shall report to the city council when all revenue bonds issued for the construction of such storm sewers, and bond refunding the same, have been fully paid and redeemed, and the council shall then provide for the reduction of the charge to such amount as will be sufficient to pay the reasonable expense of the operation, maintenance, depreciation and replacement of the sewers. The charge shall be based on the area of the parcel of land and its zone classification in accordance with the table set forth in subsection (b) below. The maximum annual charge for any tract, parcel or lot which is undeveloped and unimproved shall be ~~seven hundred twenty-five~~ **eight hundred thirty** dollars (~~\$725.00~~ **830.00**). All such charges shall be made to the owner of the parcel as the same shall appear according to the code number or account number thereof in the office of the county assessor, Yellowstone County, Montana. The zone classification shall be that which is on the official map on record at the city-county planning board.

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(b) Charges shall be as follows:

Zone	Zone Definition	Charge Per Square Foot Per Year	
P	Public	0.00155	<u>0.00178</u>
R-96	Residential 9,600	0.00271	<u>0.00312</u>
R-80	Residential 8,000	0.00295	<u>0.00339</u>
R-70	Residential 7,000	0.00310	<u>0.00357</u>
RMH	Residential Manufactured House	0.00349	<u>0.00401</u>
R-50	Residential 5,000	0.00374	<u>0.00430</u>
PD	Planned Development	0.00427	<u>0.00491</u>
R60	Residential 6,000	0.00466	<u>0.00536</u>
RP	Residential Professional	0.00505	<u>0.00581</u>
RMF-R	Residential Multi-Family Restricted	0.00527	<u>0.00606</u>
RMF	Residential Multi-Family	0.00546	<u>0.00628</u>
NCL	Neighborhood Commercial Limited	0.00562	<u>0.00646</u>
NC	Neighborhood Commercial	0.00602	<u>0.00692</u>
ELC	Entryway Light Commercial	0.00602	<u>0.00692</u>
MCPZD	Medical Corridor Permit Zoning District	0.00621	<u>0.00714</u>
CC	Community Commercial	0.00642	<u>0.00738</u>
ELG	Entryway General Commercial	0.00659	<u>0.00758</u>
PZD	South 27th Street Permit Zoning District	0.00651	<u>0.00749</u>
HC	Highway Commercial	0.00659	<u>0.00758</u>
CI	Controlled Industrial	0.00701	<u>0.00806</u>
HI	Heavy Industrial	0.00780	<u>0.00897</u>
CBD	Central Business District	0.00934	<u>0.01074</u>
VACANT	Unimproved and Undeveloped Land, Any Zone	0.00091	<u>0.00105</u>

The maximum annual charge for any tract, parcel or lot under the vacant category is ~~seven hundred twenty-five~~ **eight hundred thirty** dollars (~~\$725.00~~ **830.00**).

Section 2: All other parts, tables, paragraphs, sections and subsections of Section 22-804 not specifically amended above shall remain in full force and effect.

Section 3: EFFECTIVE DATE AND APPLICATION DATE. This ordinance shall be effective thirty (30) days after second reading and final adoption as provided by law and shall apply to charges beginning after June 30, ~~1995~~ **1998**.

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Section 4: REPEALER. All resolutions, ordinances, and sections of the City Code inconsistent herewith are hereby repealed.

Section 5: SEVERABILITY. If any provision of this ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect the other provisions of this ordinance which may be given effect without the invalid provisions or application, and, to this end, the provisions of this ordinance are declared to be severable.

PASSED by the City Council on first reading this 13 day of July, 1998.

PASSED, ADOPTED AND APPROVED on second reading this 27 day of July, 1998.



CITY OF BILLINGS

By: Charles F. Tooley
Charles F. Tooley, MAYOR

ATTEST:

By: Marita Herold
Marita Herold, CMC CITY CLERK